

Serial No.: 09/586,387
Filing Date: June 20, 2000
Amendment dated October 13, 2004
Reply to Office Action of July 14, 2004

REMARKS

This Amendment and Response is submitted in response to the Office Action mailed July 14, 2004. Withdrawal of the rejection and reconsideration with an eye toward allowance is respectfully requested.

The Examiner has objected to claims 3, 11, 18, 28, 29, 30-33, 36, 37-73, 76 and 80 as being dependent upon a rejected base claim, but indicated that the same claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended these claims to place them either in independent form or to depend from an allowable claims that is now in independent form. The amendment at least in part adds language from an appropriate base claim, such as from claim 1 or claim 74. In such case the amended portion also corrects the antecedent basis issue concerning the phrase "said previous stage" which is replaced by --said prior stage--.

Applicant has also cancelled the second instance of Claim 34 which recites "The method in claim 33, wherein said weighting function is non-linear function of stage." and presented this language as newly added claim 84. As both of the original claims 34 were dependent from allowable claim 33, Applicant submits that with this amendment, the remaining claim 34 and the newly added claim 84 are now in condition for allowance

Applicant trusts that with these amendments that claims 3, 11, 18, 28, 29, 30-33, 34, 36, 37-73, 76, 80, and 84 are in condition for allowance and requests same.

The examiner has rejected claims 1, 2, 4-10, 12-17, 19-27, 34, 35, 74, 75, 77-79, and 81-83 under 35 U.S.C. 112 suggesting that there is insufficient antecedent basis for the limitation "said previous stage" in claims 1 and 74.

Serial No.: 09/586,387
Filing Date: June 20, 2000
Amendment dated October 13, 2004
Reply to Office Action of July 14, 2004

Applicant has amended claims 1, 4, 11, 74, 77, 80, and 83 to change "said previous stage" to – said prior stage—and trusts that with this amendment the 35 U.S.C. 112 (second paragraph) based rejection will be withdrawn and that these claims will also be passed to allowance.

If after review, the Examiner feels there are further unresolved issues, the Examiner is invited to call the undersigned at (650) 494-8700.

Respectfully submitted,

DORSEY & WHITNEY LLP

By 

R. Michael ANANIAN, Reg. No. 35,050
Attorney for Applicants
Filed under 37 C.F.R. §1.34(a)

Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4187
Tel.: (650) 494-8700
Fax: (650) 494-8771
PA-1077842